

STAT

September 10, 1984

The Honorable Edward Boland
Chairman, Permanent Select Committee
on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

HR 5805

Attention: Mr. Bernard Raimo
Counsel
U.S. Capitol Bldg., H-405

Dear Mr. Chairman:

I write to recommend passage of a bill to amend the Central Intelligence Agency Retirement Act of 1964 to provide essential benefits to certain former spouses of CIA personnel not eligible for benefits under the Act. This bill is currently designated H.R. 5805, but a bill with draft changes which would improve the language without altering the intent would be equally acceptable.

As you are well aware, the Congress in 1982 enacted the Central Intelligence Agency Spouses Retirement Equity Act of 1982 that remedied a longstanding inequity by making it possible for a former spouse of a CIA officer to share in the pension and survivorship rights she would have obtained if their marriage had not been terminated. At the time the Bill was passed, it was recognized that certain former spouses would not be included under such prospective legislation, where the retirement or the divorce preceded the effective date of the new act, November 15, 1982. Senator Inouye at the Senate hearing spoke to the need for later action:

Mr. President, I realize that establishing the effective date in this way would leave certain former spouses, who are divorced before enactment of the amendments, without additional protection. While this group has certainly made important contributions . . . , I have decided not to pursue a statutory remedy at this time. This is because to do so would be retroactively to change the amount of payments already being received and possibly even to affect the validity of existing

decrees. Nevertheless, I feel that at some future date we should consider providing additional benefits to this group in recognition of their important service.

H.R. 5805 would give retirement coverage to these women whose eligibility for benefits are in every sense equivalent to the women already covered. The legislation would not take from the officer or former officer in question whatever pension he or she has already vested. H.R. 5805 is based upon legislation first passed in 1965 and redefined in 1976, which provides a retirement annuity for certain Foreign Service widows. The experience under this FS legislation has been that a positive contribution has been made to certain FS widows. At the same time, the FS legislation has opened no flood gates of abuse or extensive expenditures.

I believe the same will be said for H.R. 5805, as it would apply to a very small number of former spouses but would make a major change in their personal situations. Some of these spouses are literally without resources, despite the fact that they contributed substantially to our intelligence mission and to our government activities abroad over the years of their marriages. The provisions for group health insurance would give all former CIA spouses -- now and in the future -- vital protection after their long years of service -- service that in some cases has resulted in lasting health problems.

Finally, may I say, it was my great privilege to lead the Agency through a number of years in which the former spouses who would be affected by this bill made a substantial contribution to the Agency's mission. I am convinced that it is a matter of simple justice to ensure that they are treated fairly and equitably.

Cordially yours,

A handwritten signature in dark ink, appearing to read "Richard Helms", with a stylized, flowing script.

Richard Helms